

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JAMES SCOTT,

Plaintiff,

-against-

COMMISSIONER ANTHONY ANNUCCI,  
ET AL.,

Defendants.

23-CV-6921 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

On September 5, 2023, the Court received a letter from Plaintiff James Scott, advising the Court that he did not intend to file this action and did not authorize anyone to file this action on his behalf. The Court grants Plaintiff's request to withdraw this action, as opened in error.

The Clerk of Court is directed not to charge Plaintiff the \$350.00 filing fee for this action, and the Warden or Superintendent having custody of Plaintiff is directed to suspend any previously authorized monetary deduction from Plaintiff's prison trust account for this lawsuit. The Clerk of Court is further directed to close this case and terminate all pending deadlines.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: September 7, 2023  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge